

## **REMARKS**

With this Response, Applicants respectfully request that claims 1-30 be canceled without prejudice. Claim 42 is amended herein to correct an informality. Claims 43-58 are currently added. Therefore, claims 31-58 are pending.

### **Claim Rejections - 35 U.S.C. § 102**

Claims 1-2, 4-5, 7-9, 11-25, and 27-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,434,619 issued to Lim et al. (*Lim*). These claims have been canceled; therefore, rejection of these claims is moot.

### **Claim Rejections - 35 U.S.C. § 103**

#### **Claims 3, 6, 10, 26, and 29-42**

Claims 3, 6, 10, 26, and 29-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lim in view of U.S. Patent No. 5,261,099 issued to Bigo et al. (*Bigo*). Claims 3, 6, 10, 26, and 29-30 have been canceled; therefore, rejection of these claims is moot. Applicants respectfully submit that claims 31-42 are not rendered obvious by the cited references for at least the following reasons.

As per MPEP 2143, to establish a prima facie case of obviousness, a motivation to combine must be shown. "Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art." MPEP 2143.01. While it is true that *Bigo* mentions phrases such as "modules," "requests," and "sequential execution" of program tasks (see, e.g., col. 1, lines 43 to 54), Applicants respectfully

submit that there is no motivation or suggestion either in *Bigo* or *Lim* to combine the two references. *Bigo* states at col. 1, lines 14 to 19:

This invention relates to a **program scheduling mechanism** and a scheduler for implementing said mechanism. It is to be used in communication systems include microcode composed of **programs having different priority levels**.

Specifically, *Bigo* discusses synchronization of program tasks of differing priority levels through the use of a scheduler adding controlled delays in the execution of the tasks. See Abstract; col. 2, line 62 to col. 3, line 30. *Bigo* is noticeably silent regarding anything to do with configuration parameter change requests. Applicants respectfully submit that there is no motivation to combine *Bigo's* discussion of synchronization in a modem of program tasks of differing priorities with *Lim's* mention of receiving and processing of configuration change requests.

Furthermore, even assuming there was a motivation to combine the references, which Applicants maintain is improper, Applicants respectfully submit that *Lim* and *Bigo*, whether alone or in combination, fail to disclose or suggest every element of the claims. Claim 31 recites the following:

a port to receive a set of **configuration parameter change requests** within a transaction; and  
a configuration manager coupled to said port to **determine a corrected sequence for the transaction via validation of a change request** within the transaction by a module and coupled to the module to execute the set of configuration parameter change requests.

The Office Action states at page 6 that *Lim* fails to disclose determining a corrected sequence, but asserts that *Bigo* discloses that feature. Whether or not *Lim* discloses what is asserted in the Office Action, *Bigo* fails to disclose or suggest determining a corrected sequence of configuration parameter change requests for a transaction, as claimed. *Bigo* fails to disclose or suggest that multiple requests for execution of program tasks may be part of a transaction.

Furthermore, *Bigo* fails to disclose determining any type of a corrected sequence, whether of configuration requests for a transaction via validation, or otherwise. Although *Bigo* at col. 14, lines 28 to 29 mentions that a particular combination of program executions is valid as to the relative priority levels of the programs, *Bigo* fails disclose or suggest determining a corrected sequence of configuration parameter change requests for a transaction via validation, as claimed. Thus, Applicants respectfully submit that there is no motivation to combine *Lim* and *Bigo*, and even assuming there is, *Lim* and *Bigo* fail, either alone or in combination to disclose or suggest every element of claim 31. Therefore, the cited references fail to render obvious the invention as claimed.

Claims 32-42 depend from claim 1. Because dependent claims necessarily include the limitations of the claims from which they depend, Applicants submit that these claims are not rendered obvious by the cited references for at least the reasons set forth above with respect to claim 31.

#### New Claims 43-58

New claims 43-58 have not yet been presented for examination. However, Applicants respectfully submit that these claims are not rendered obvious by the cited references for at least the following reasons.

Claim 43 recites the following:

receiving multiple configuration parameter change requests within a configuration parameter change request transaction;  
determining whether the received configuration parameter change request within the transaction are in an order capable of sequential execution;  
re-ordering the requests to be in an order capable of sequential execution, if the requests are determined not to be in such an order; and  
executing the configuration parameter change requests in the order to assign change-requested values to run-time variables.

Claims 49 and 55 similarly recite determination of an order of sequential execution of configuration parameter change requests. Applicants respectfully submit that similar to that mentioned above with respect to validating configuration parameter change requests, the cited references fail, either alone or in combination, to disclose or suggest determining an order of sequential execution of configuration parameter change requests as claimed. Therefore, the cited references fail to render obvious claims 43, 49, and 55.

Furthermore, because dependent claims necessarily include the limitations of the independent claims from which they depend, Applicants respectfully submit that claims 44-48, 50-54, and 56-58 are not rendered obvious by the cited references for at least the reasons set forth above with respect to claims 43, 49, and 55, from which they depend, respectively.

#### Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, all pending claims are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number

02-2666.

Respectfully submitted,  
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Date:

4/5/03



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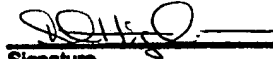
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